

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

YULE HOBSON,

Plaintiff,

v.

HEATHER JACQUEL HAYS,

Defendant.

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No. 4:23-CV-1591 RLW

MEMORANDUM AND ORDER

This matter is before the Court on review of the file. Self-represented plaintiff Yule Hobson initiated this case on December 11, 2023 by filing a Civil Complaint against Judge Heather Jacquell Hays, a state court judge.¹ ECF No. 1. Although plaintiff used the Court-provided form complaint, he did not provide any information under the “Statement of Claim,” “Injuries,” and “Relief” sections, and his basis for federal court jurisdiction was unclear. Submitted with the complaint was a motion for leave to proceed *in forma pauperis* with a blank affidavit of financial status. ECF No. 2.

On December 11, 2023,² plaintiff filed a one-page Memorandum for Clerk. ECF No. 4. The Memorandum was formatted without the use of complete sentences and did not provide any clarity as to the claim(s) he intended to bring against the defendant. Plaintiff wrote, in part:

Mr. Yule Hobson Motion Judge Heather Hays.
U.S. Constitution Section Claim: Attempted Murder
Premeditated Burglary Nov. 27, 2023. Jay Greenberg
Federal F.B.I. Director of Christopher Way.
H.I.P.A.A. Motion Violations \$50,000

¹The correct spelling of defendant’s name is Heather Jacquelin Hays.

²The filing was dated December 11, 2023 and was received by this Court on December 22, 2023.

Id. The filing also contained four phone numbers and an address of the Lincoln Hotel. *Id.*


On December 12, 2023, the Court issued a Memorandum and Order directing plaintiff to file an amended complaint to cure his pleading deficiencies, and to either pay the \$402 filing fee or submit a completed Application to Proceed in District Court without Prepaying Fees or Costs. ECF No. 3. Plaintiff was mailed the appropriate Court forms and provided specific instructions on how to submit his amendment. Plaintiff was warned that his failure to timely comply would result in the dismissal of this action without prejudice and without further notice. His response was due no later than January 11, 2023.

As of the date of this Order, plaintiff has not complied with the Court's directive to amend his complaint, nor has he sought additional time to do so. The Court gave plaintiff meaningful notice of what was expected, cautioned him that his case would be dismissed if he failed to timely comply, and gave additional time to comply before issuing this order. Therefore, this action will be dismissed without prejudice due to plaintiff's failure to comply with the Court's December 12, 2023 Memorandum and Order and his failure to prosecute his case. *See* Fed. R. Civ. P. 41(b); *see also Brown v. Frey*, 806 F.2d 801, 803-04 (8th Cir. 1986) (a district court has the power to dismiss an action for the plaintiff's failure to comply with any court order); *Dudley v. Miles*, 597 F. App'x 392 (8th Cir. 2015) (per curiam) (affirming dismissal without prejudice where self-represented plaintiff failed to file an amended complaint despite being cautioned that dismissal could result from failure to do so).

Accordingly,

IT IS HEREBY ORDERED that this action is **DISMISSED** without prejudice. A separate order of dismissal will be entered herewith.

IT IS HEREBY CERTIFIED that an appeal from this dismissal would not be taken in good faith.



RONNIE L. WHITE
UNITED STATES DISTRICT JUDGE

Dated this 18th day of January, 2024.